

CONCLUSION

Plaintiffs filed this motion because the Defendants had not previously disputed the accuracy of the Processed ARCOS Data. They still do not dispute its accuracy. The purpose behind Rule 56 is to narrow the issues for trial when there is no factual dispute. Here there is no factual dispute. Plaintiffs should not have to waste trial time and the expense of producing testimony to establish that the Processed ARCOS Data is accurate. The Court should grant the motion and hold that the ARCOS Data received from the DEA and processed by Plaintiffs' expert Dr. Craig J. McCann accurately reflects the actual shipments of opioid products reported to the DEA by DEA licensed wholesale distributors.

Dated: October 30, 2020

Respectfully submitted,

THE CITY OF HUNTINGTON

CABELL COUNTY COMMISSION

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